

**CITY OF HORSESHOE BAY**  
**BOARD OF ADJUSTMENT**

Notice is hereby given to all interested members of the public that the Horseshoe Bay Board of Adjustment will hold a Public Meeting beginning at 3:00 p.m., on Tuesday, February 26, 2019 in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas. The agenda for the Public Meeting is to discuss and/or act on the following:

1. Call the Meeting to Order and Establish a Quorum
2. Pledges to the Flags
3. Approval of the Minutes of the December 18, 2018 meeting
4. Discuss, consider, and take action on BOA Case No. 2019-01, a request for approval of a 14-foot Variance in the 25-foot front yard setback requirement of section 14.02.406(b)(3)(A) for Lot No. W21037-A of Horseshoe Bay Plat No. W21.4 on the 900 Block of Sun Ray /*SJP Investments, Applicant*
5. Election of Vice Chairman
6. Adjournment



Eric W. Winter, Development Services Dir.

The Board of Adjustment may go into closed session, if necessary and appropriate, pursuant to the applicable section of the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapter D, on any matter that may come before the Board that is listed on the Agenda and for which a closed session is authorized. No final action, decision, or vote will be taken by the Board on any subject or matter while in closed session. Any action, decision or vote will be taken by the Board only in open meeting.

**CITY OF HORSESHOE BAY**  
**BOARD OF ADJUSTMENT**  
**MINUTES OF REGULAR MEETING**

December 18, 2018

The Board of Adjustment of the City of Horseshoe Bay held a Regular Meeting in the City Council Chambers at City Hall, #1 Community Drive, Horseshoe Bay, Llano County, Texas, on December 18, 2018, in accordance with the duly posted notice of said meeting.

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered, with the agenda subject and item number shown preceding the applicable paragraph.

**1. Call the Meeting to Order and Establish a Quorum:**

The meeting was called to order at 3:00 p.m. by Board Chairman David Pope with a quorum of Board members present as follows:

**Present**

Chairman David Pope

Vice-Chairman Jim Babcock

Board Member Lee Peterson

Alternate Board Member Dale Amstutz

**Absent**

Board Member Frank Gracely

**2. Pledges to the Flags:**

The pledges were led by Chairman David Pope.

**3. Approval of the Minutes of the July 17, 2018 Regular Meeting:**

Jim Babcock made a motion to approve the minutes as written, seconded by Dale Amstutz. The motion was approved unanimously. (4-0)

**4. Discuss, consider, and take action on BOA Case No. 2018-06, a request for approval of a 10-foot Variance in the 25-foot front yard setback requirement of Section 14.02.406(b)(3)(A) for Lot No. 41021 of Horseshoe Bay Plat No. 41.1 on the 200 Block of Dalton Circle**

Assistant Planner David Aldridge presented a staff report on the Variance Request. Owner Dan Gillean explained that the terrain in the rear of the property is so steep that it is only feasible to build closer to the street. Father Ruben Patino, the Pastor of the church directly adjacent to this property, explained the history of Dalton Circle. He also wanted to set expectations for Mr. Gillean because occasional events cause parking to spill out onto the street.

Lee Peterson made a motion to approve the Variance with the relief extending to any lot resulting from a replat of the property, seconded by Jim Babcock. The motion passed unanimously (4-0).

**5. Approval of the 2019 Meeting Schedule**

The Board agreed to make one change to the proposed schedule: the August meeting will take place on the 27<sup>th</sup>.

Jim Babcock made a motion to approve the 2019 meeting schedule, seconded by Lee Peterson. The motion was approved unanimously. (4-0)

**6. Adjournment**

Chairman David Pope adjourned the meeting at 3:26 p.m.

APPROVED this 26<sup>th</sup> day of February, 2019.

**CITY OF HORSESHOE BAY, TEXAS**

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**Jim Babcock, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**



# CITY OF HORSESHOE BAY

**FEBRUARY 26, 2019**

**To: Board of Adjustment**  
**Thru: Stan R. Farmer, City Manager**  
**From: David L. Aldridge III, Assistant Planner**  
**Re: Discuss, consider, and take action on BOA Case No. 2019-01, a request for approval of a 14-foot Variance in the 25-foot front yard setback requirement of section 14.02.406(b)(3)(A) for Lot No. W21037-A of Horseshoe Bay Plat No. W21.4 on the 900 Block of Sun Ray /SJP Investments, Applicant**

The owner is requesting approval of a 14-foot Variance in the 25-foot front yard setback on Lot No. W21037-A of Horseshoe Bay Plat No. W21.4, located on the 900 Sun Ray. The purpose of the Variance is to allow a single-family home to be built closer to the street to save a Heritage Tree. The owner requested and was granted a 10 foot of Variance on January 30, 2018, but underestimated the amount needed to avoid affecting the Heritage Tree

The Board of Adjustment can only grant a Variance after holding a public hearing on the request and finding that:

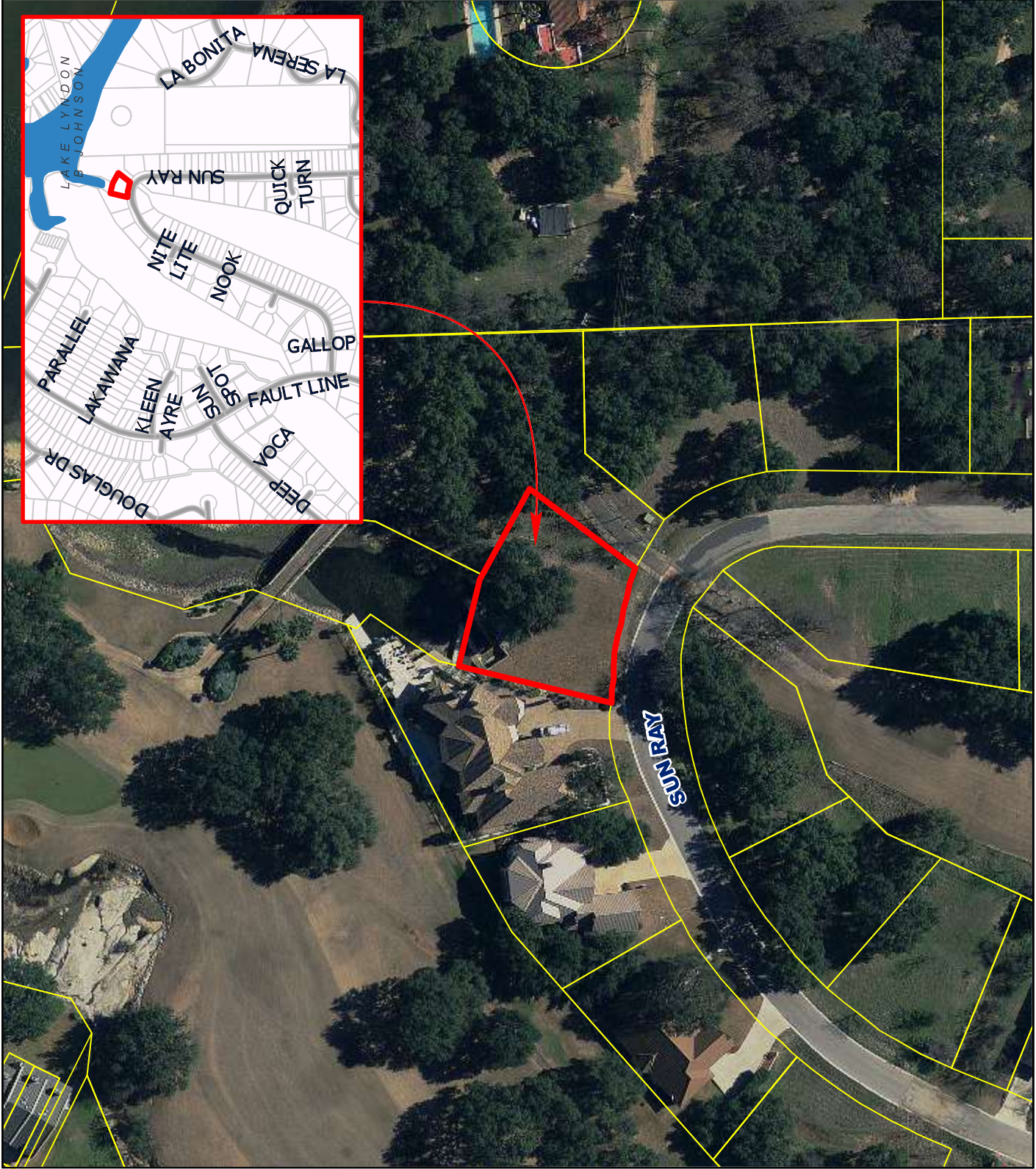
- a) There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of the reasonable use of the land. The applicant states: "Trying to save the Heritage Tree" Staff's review found that to be the case.
- b) The Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant. The applicant states: "Variance will allow reasonable and best use of the lot for a single-family residence. "Staff has no issue with this.
- c) The granting of the Variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area. The applicant states that: "Relief will not be detrimental to public." Staff has no issue with this.
- d) The granting of the Variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this article. The applicant states that: "Relief will not create any problem for others." Staff has no issue with this.
- e) The granting of the Variance constitutes a minimal departure from this article. The applicant states that: "Relief is not a major departure from the ordinance." Staff has no issue with this.
- f) The subject circumstances or conditions are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property. The applicant states that: "No effect on properties in the area." Staff has no issue with this.

**The Horseshoe Bay Architectural Control Committee has approved the Variance. Based on the above review, staff recommends approval of the attached Variance Approval Form.**

**Enclosures:   Aerial Photo  
                  Zoning Map  
                  Site Plan  
                  Variance Approval Form**

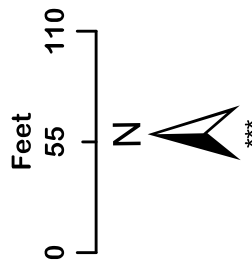


BOA CASE NO. 2019-01  
900 BLOCK OF SUN RAY



REQUEST FOR VARIANCE:  
14 FEET FROM 25 FOOT  
FRONT YARD SETBACK  
LOT NO. W21037-A  
HORSESHOE BAY WEST  
900 BLOCK OF SUN RAY

**LEGEND**

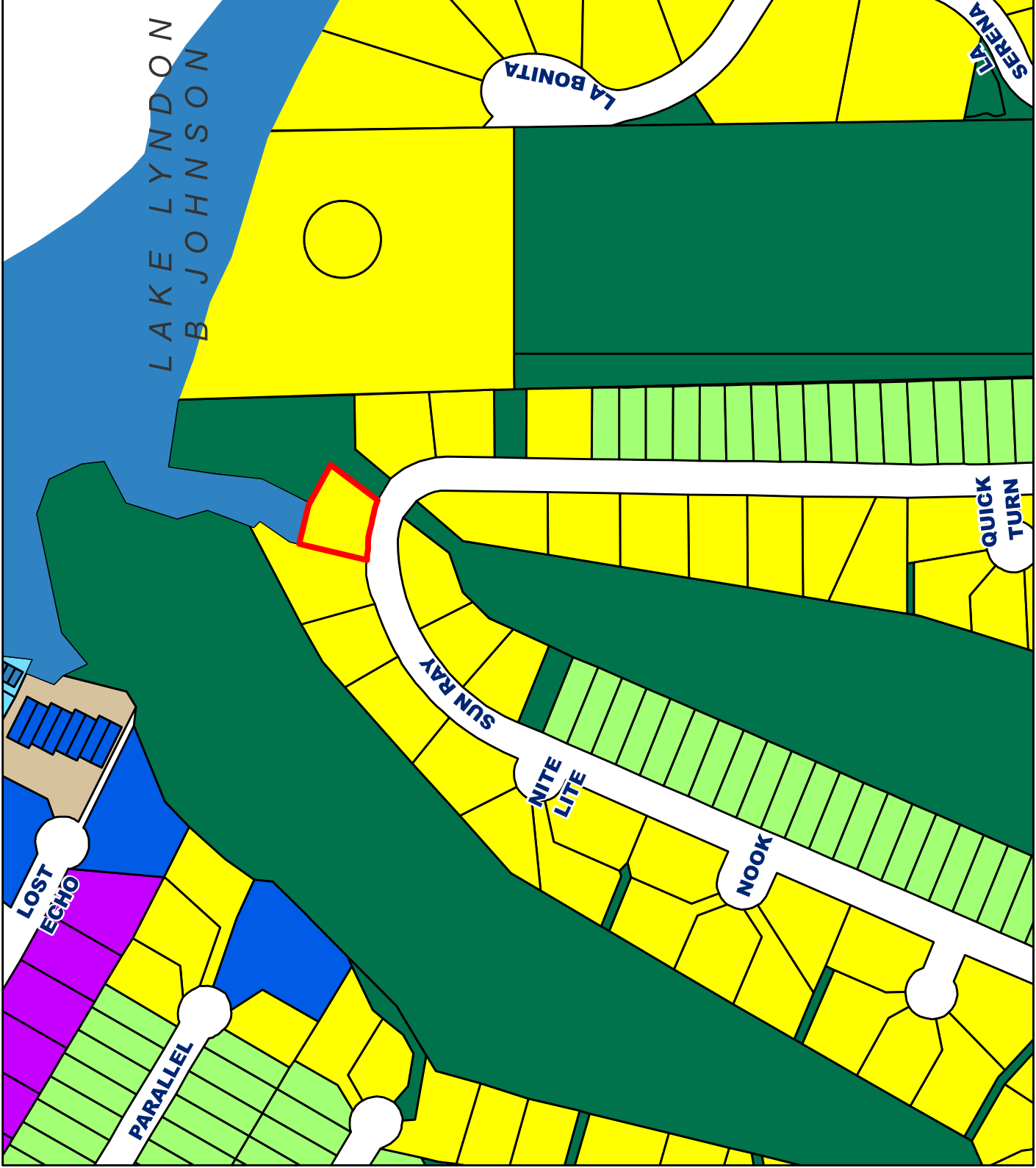


Cartographic Data For General  
Planning Purposes Only

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Coordinate System:  
NAD 1983 StatePlane Texas  
Central FIPS 4203 Feet

# BOA CASE NO. 2019-01 900 BLOCK OF SUN RAY



REQUEST FOR VARIANCE:  
14 FEET FROM 25 FOOT  
FRONT YARD SETBACK  
LOT NO. W21037-A  
HORSESHOE BAY WEST  
900 BLOCK OF SUN RAY

## LEGEND

A-1 RECREATIONAL AREA	CA COMMON AREA	GH GARDEN HOME	LA LAKE	MU-GH MIXED- USE GARDEN HOME	R-1 SINGLE- FAMILY RESIDENTIAL	R-2 TWO-FAMILY RESIDENTIAL DUPLEX	R-4 MULTI- FAMILY RESIDENTIAL	LOT W21037-A
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Feet  
0 120 240



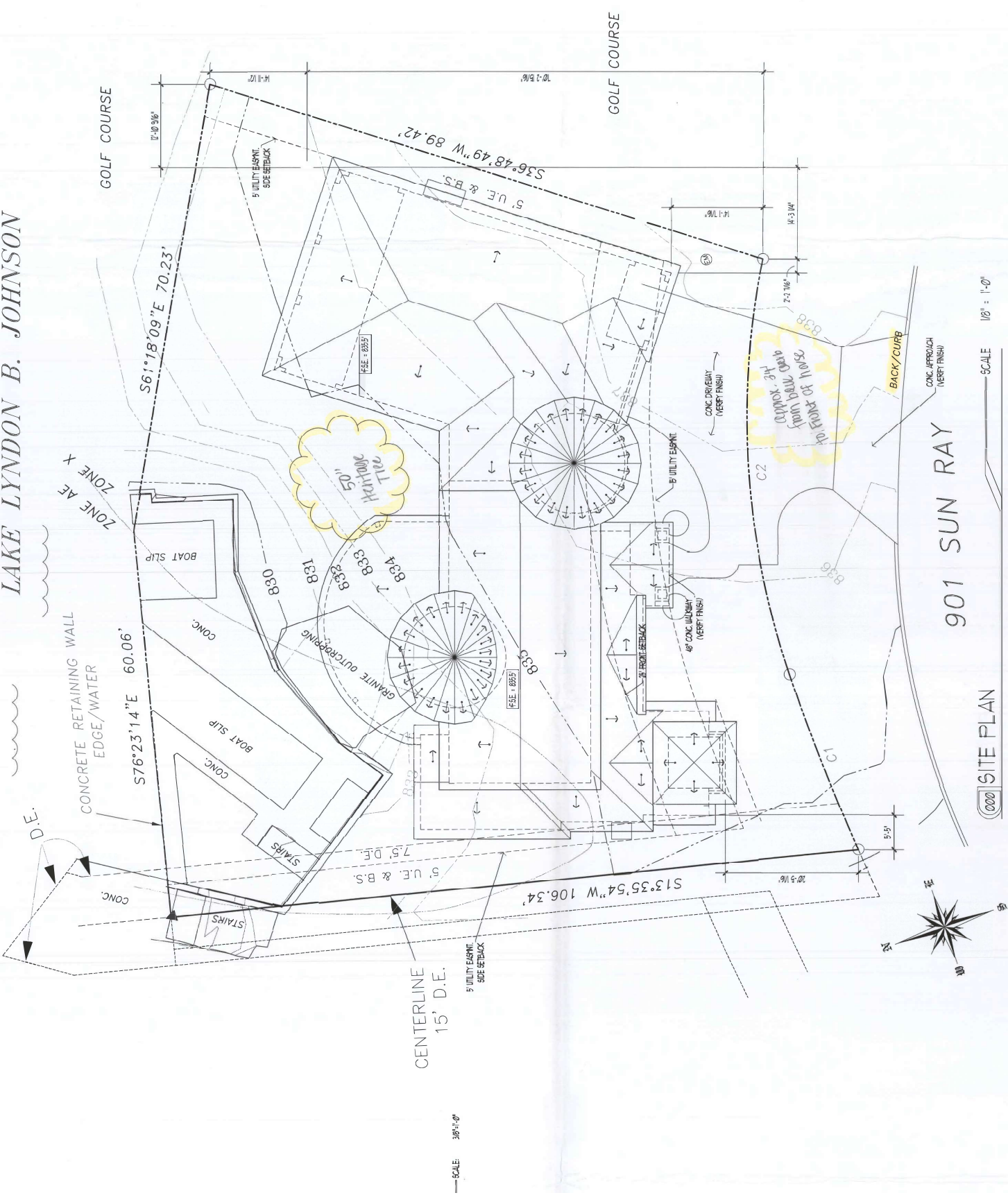
Cartographic Data For General  
Planning Purposes Only

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Coordinate System:  
NAD 1983 StatePlane Texas  
Central FIPS 4203 Feet



LAKE LYNDON B. JOHNSON



000 SITE PLAN 1/8" = 1'-0" SCALE

901 SUN RAY

# HORSESHOE BAY WEST

LOT 210271 BLOCK 0 NCB-0

TREE NO.	TREE TYPE & SIZE
194	LIVE OAK 36"

SCALE 3/8" = 1'-0"





**City of Horseshoe Bay**  
**Zoning Variance VA 2019-01**

On the 26<sup>th</sup> day of February, 2019, the foregoing application from SJP Investments for a Variance with regard to the property described in said application, on Lot No. W21037-A of Horseshoe Bay Plat No. 21.4, otherwise known as being in the 900 Block of Sun Ray, and the requested 14-foot variance in the 25-foot front yard setback was heard and considered by the Board of Adjustment of Horseshoe Bay, Texas. Said application having been found to be in compliance with all other requirements of the City's Zoning Ordinance and a public hearing having been conducted, is hereby approved and the following findings are made and incorporated into the minutes of the meeting at which the 14-foot Variance from the 25-foot front yard setback requirement of Section 14.02.406(b)(3)(A) was granted to allow a single-family home to be constructed and the Heritage Tree in the rear of the shallow lot to be protected:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the City's Zoning Ordinance would deprive the applicant of the reasonable use of the land;
2. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. Granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area;
4. Granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of the Zoning Ordinance;
5. Granting of the variance constitutes a minimal departure from the Zoning Ordinance;
6. The subject circumstances or conditions are not self-imposed, based solely on economic gain or loss, or generally affect most properties in the vicinity of the property.

**APPROVED** on this, the 26<sup>th</sup> day of February, 2019 by a vote of the Board of Adjustment of the City of Horseshoe Bay, Texas.

**CITY OF HORSESHOE BAY, TEXAS**

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**Jim Babcock, Chairman**

**ATTEST:**

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**Eric W. Winter, Development Services Director**